

Remarks

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

The undersigned first notes, with appreciation, that the Office Action of November 15, 2007, acknowledges applicants' claim of priority for this matter. However, it is further noted that the Office Action Summary page indicates that "Some" of the "certified copies of the priority documents have been received in this National Stage application from the International Bureau". The present U.S. Patent Application claims the priority of French Patent Application No. 03/00474, filed January 15, 2003. The "Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495" which issued in this matter on March 7, 2006, confirms receipt of the "Priority Documents filed on 07/15/2005", which presumably relates to the certified copies of the priority documents that were received from the International Bureau. Consequently, it appears that "All" of the certified copies of the priority documents have been received in this matter, and that the wrong box has been checked on the Office Action Summary page. Clarification of the documentation which has been received in this matter is, therefore, respectfully requested.

The Office Action later acknowledges receipt and consideration of the Information Disclosure Statement which was filed in this matter on October 12, 2005, except for two cited

documents including DE 10 18 190 (listed as the document "AL" on the PTO-1449 Form which was included with the Information Disclosure Statement) and DE 855 305 (listed as the document "AM" on the PTO-1449 Form which was included with the Information Disclosure Statement). No reason has been provided for this apparent refusal to consider these two documents.

It is respectfully submitted that for purposes of considering the documents DE 10 18 190 and DE 855 305, the Information Disclosure Statement which was filed in this matter on October 12, 2005, fully complied with the requirements of 37 C.F.R. §1.98(a)(2)(i), and that these documents were properly considered.

As indicated on the "Filing Receipt" issued for the present U.S. Patent Application, "[t]his application is a 371 of PCT/FR03/03091". Both DE 10 18 190 and DE 855 305 were cited in the "International Search Report" issued for International Application No. PCT/FR03/03091. As indicated on the "Notice of Acceptance of Application Under 35 U.S.C 371 and 37 CFR 1.495" issued with the Filing Receipt, a copy of this International Search Report has been received by the U.S. Patent Office. Accordingly, it is submitted that there was no need to supply additional copies of DE 10 18 190 and DE 855 305 with the Information Disclosure Statement which was filed on October 12, 2005, that the Information Disclosure Statement fully complied with the requirements of 37 C.F.R. §1.56 and 37 C.F.R. §1.98, and

that the lined-through entries on the initialed PTO-1449 Form returned with the Office Action of November 15, 2007, were properly considered. Nevertheless, and for the Examiner's convenience, copies of DE 10 18 190 and DE 855 305 have been enclosed with this Reply.

It is, therefore, respectfully requested that the Examiner reissue the PTO-1449 Form submitted with applicants' Information Disclosure Statement filed on October 12, 2005, including initialed lines "AL" and "AM" to acknowledge the Examiner's consideration of DE 10 18 190 and DE 855 305.

Because these documents were cited in an Information Disclosure Statement which was complete and duly filed before the mailing of a first Office Action on the merits in connection with the present U.S. Patent Application, it is submitted that no fee is required for consideration of the foregoing documents under 37 C.F.R. §1.17(p). However, in the event that a fee is deemed to be necessary for consideration of the above-discussed documents, any additional fees which may be required, or any overpayments, can be charged to Deposit Account No. 03-2405, and corresponding action is earnestly solicited.

Following an acknowledgement of applicants' election made in the Reply which was filed in connection with this Patent Application on October 4, 2007, the Office Action objects to the specification because the abstract is not considered to comply with the requirements of Section 608.01(b) of the Manual of

Patent Examination Procedure. In reply, an amended Abstract has been submitted for this Patent Application. The amended Abstract has been reproduced on a separate sheet enclosed with this Reply, in accordance with the requirements of 37 C.F.R. §1.72(b), and entry of the amended Abstract is respectfully requested, overcoming the stated objection to the abstract for this Patent Application.

In addition, and although not specifically required by the Office Action, a substitute specification has been submitted for this Patent Application which includes section headings and which makes grammatical corrections resulting from translation of the original specification from French into English when steps were taken to enter the U.S. national stage of the International Application on which the present U.S. Patent Application is based. A marked-up copy of the original specification showing the changes which have been made in the substitute specification has also been enclosed, on separate pages, in accordance with the requirements of 37 C.F.R. §1.125(c). The substitute specification includes no new matter, and entry of the enclosed substitute specification is therefore respectfully requested in accordance with 37 C.F.R. §1.125(b).

The Office Action next objects to the drawings under 37 C.F.R. §1.83(a), requiring an illustration of various structures which have been specified in the claims. In reply, and responsive to the requirements of 37 C.F.R. §1.121(d), one

"Replacement Sheet" of drawings has been enclosed with this Reply which shows amendments which have been made to Fig. 4. Amended Fig. 4 currently shows the first rotary drive 4, the second rotary drive 4', the drive pinions which comprise the rotary drives 4, 4', including the profiles of the drive pinions, and the bottom portions of the drive pinion 4'. The retention members 8 and 20 are shown in Fig. 3 and Fig. 5, respectively. Clarifying amendments relating to the drive pinions 4, 4' have also been made to claim 11. Accordingly, it is submitted that with the amendments made to Fig. 4, and the clarifying amendments made to claim 11, the drawings are seen to fully comply with the requirements of 37 C.F.R. §1.83(a).

In view of the foregoing, entry of the Replacement Sheet of drawings enclosed with this Reply is respectfully requested, overcoming the stated objection to the drawings. Corresponding amendments have also been made to the substitute specification submitted with this Reply, to incorporate the reference numerals 4' (for the second drive pinion) and 27 (for the drive shaft).

The Office Action next rejects claim 11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,941,705 (Makris et al.), and claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over a proposed combination of Makris et al. with U.S. Patent No. 3,961,422 (Riitano et al.). However, it is further indicated that claims 13 to 15 would be allowable

if suitably rewritten.

Claim 11 has been amended to incorporate the subject matter of former dependent claim 13, which has been canceled, the dependency of claim 14 has been correspondingly amended, and claims 16 to 18 have been canceled. It is submitted that this operates to place the remaining claims (11, 12, 14 and 15) in condition for allowance.

In view of the foregoing, it is submitted that this Patent Application has been placed in condition for allowance and corresponding action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. Cohen", is written over the typed name.

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